

REMARKS

1. Present Status of Patent Application

In response to the non-final office action dated March 30, 2005, Applicants respectfully request reconsideration based on the foregoing amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

2. Examiner Interview

Applicants first wish to express their sincere appreciation for the time that Examiner Bui spent with Applicants' Attorney during a telephone discussion on May 17, 2005 regarding the outstanding Office Action. During that conversation, claim amendments were briefly discussed, and the Examiner indicated the claim amendments should be included in the official response so that the Examiner could evaluate them more fully. Thus, Applicants respectfully request that Examiner carefully consider this response and the amendments.

3. Response To Rejections of Claims 1-32 Under 35 U.S.C. §102(e)

Claims 1-32 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Zhang (U.S. Patent No. 6,661,785). For a proper rejection of a claim under 35 U.S.C. Section 102, the cited reference must disclose all elements/features/steps of the claim. *See, e.g., E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988). Applicants respectfully traverse this rejection on the grounds that reference does not disclose, teach, or suggest all of the claimed elements and steps.

a. Claim 1

As provided in independent claim 1, Applicants claim:

An intelligent remote caller identification system, comprising:
telephone routing device operable to receive a query responsive to a call request to a telephone number of a called party and trigger an internet call routing query; and

an internet call routing system coupled to the telephone routing device, the internet call routing system operable to receive the internet call routing query, dispose of the call request based upon rules set up by the called party,

and send internet-based messages to the called party at a plurality of registered communication devices.

(Emphasis added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Zhang* does not disclose, teach, or suggest at least the feature of “an internet call routing system coupled to the telephone routing device, the internet call routing system operable to receive the internet call routing query, dispose of the call request based upon rules set up by the called party, and send internet-based messages to the called party at a plurality of registered communication devices,” as recited in claim 1.

Rather, *Zhang* discloses a communication system which “forwards to the internet address of subscriber 112 a notification message that advises subscriber 112 of an incoming call.” Cols. 10-11, 66-4. Therefore, *Zhang* fails to disclose, teach, or suggest at least the feature of “an internet call routing system coupled to the telephone routing device, the internet call routing system operable to receive the internet call routing query, dispose of the call request based upon rules set up by the called party, and send internet-based messages to the called party at a plurality of registered communication devices,” as recited in claim 1. (Emphasis added). For at least these reasons alone, *Zhang* does not anticipate claim 1. Therefore, the rejection of claim 1 should be withdrawn.

b. Claims 2-6

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-6 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims 2-6 contain all the elements and features of independent claim 1. Additionally and notwithstanding the foregoing reasons for allowability of claims 2-6, these claims recite further features and/or combinations of features (as is apparent by examination of the claim itself) that are patentably distinct from the cited art of record.

c. Claim 7

As provided in independent claim 7, Applicants claim:

An internet call routing system, comprising:
receive logic operable to receive a call query from a telephone routing device via a gateway;

presence logic coupled to the receive logic, the presence logic being operable to determine whether a called party associated with the call query is present with respect to at least one registered communication device associated with the called party; and

messaging logic coupled to the presence logic, the messaging logic being operable to send a plurality of messages to the called party via a plurality of registered communication devices responsive to the presence determination.

(Emphasis added).

Applicants respectfully submits that independent claim 7 is allowable for at least the reason that *Zhang* does not disclose, teach, or suggest at least the feature of “messaging logic coupled to the presence logic, the messaging logic being operable to send a plurality of messages to the called party via a plurality of registered communication devices responsive to the presence determination,” as recited in claim 7.

Rather, *Zhang* discloses a communication system which “forwards to the internet address of subscriber 112 a notification message that advises subscriber 112 of an incoming call.” Cols. 10-11, 66-4. Therefore, *Zhang* fails to disclose, teach, or suggest at least the feature of “messaging logic coupled to the presence logic, the messaging logic being operable to send a plurality of messages to the called party via a plurality of registered communication devices responsive to the presence determination,” as recited in claim 7. (Emphasis added). For at least these reasons alone, *Zhang* does not anticipate claim 7. Therefore, the rejection of claim 7 should be withdrawn.

d. Claims 8-14

Because independent claim 7 is allowable over the cited art of record, dependent claims 8-14 (which depend from independent claim 7) are allowable as a matter of law for at least the reason that the dependent claims 8-14 contain all the elements and features of independent claim 7. Additionally and notwithstanding the foregoing reasons for allowability of claims 8-14, these

claims recite further features and/or combinations of features (as is apparent by examination of the claim itself) that are patentably distinct from the cited art of record.

e. Claim 15

As provided in independent claim 15, Applicants claim:

A method of providing caller identification at a remote location, comprising the steps of:
receiving a call query from a telephone routing device via a gateway;
determining whether the called party is present with respect to a plurality of registered communication devices associated with the called party; and
sending a plurality of messages to the called party via the registered communication devices responsive to the presence determination.

(Emphasis added).

Applicants respectfully submits that independent claim 15 is allowable for at least the reason that *Zhang* does not disclose, teach, or suggest at least the feature of “sending a plurality of messages to the called party via the registered communication devices responsive to the presence determination,” as recited in claim 15.

Rather, *Zhang* discloses a communication system which “forwards to the internet address of subscriber 112 a notification message that advises subscriber 112 of an incoming call.” Cols. 10-11, 66-4. Therefore, *Zhang* fails to disclose, teach, or suggest at least the feature of “sending a plurality of messages to the called party via the registered communication devices responsive to the presence determination,” as recited in claim 15. (Emphasis added). For at least these reasons alone, *Zhang* does not anticipate claim 15. Therefore, the rejection of claim 15 should be withdrawn.

f. Claims 16-23

Because independent claim 15 is allowable over the cited art of record, dependent claims 16-23 (which depend from independent claim 15) are allowable as a matter of law for at least the reason that the dependent claims 16-23 contain all the steps and features of independent claim 15. Additionally and notwithstanding the foregoing reasons for allowability of claims 16-23, these claims recite further features and/or combinations of features (as is apparent by examination of the claim itself) that are patentably distinct from the cited art of record.

g. Claim 24

As provided in independent claim 24, Applicants claim:

A computer readable medium having a program for providing caller identification at a remote location, the program comprising the steps of:
receiving a call query from a telephone routing device via a gateway;
determining whether the called party is present with respect to a plurality of registered communication devices associated with the called party; and
sending a plurality of messages to the called party via the registered communication devices responsive to the presence determination.

(Emphasis added).

Applicants respectfully submits that independent claim 24 is allowable for at least the reason that *Zhang* does not disclose, teach, or suggest at least the feature of “sending a plurality of messages to the called party via the registered communication devices responsive to the presence determination,” as recited in claim 24.

Rather, *Zhang* discloses a communication system which “forwards to the internet address of subscriber 112 a notification message that advises subscriber 112 of an incoming call.” Cols. 10-11, 66-4. Therefore, *Zhang* fails to disclose, teach, or suggest at least the feature of “sending a plurality of messages to the called party via the registered communication devices responsive to the presence determination,” as recited in claim 24. (Emphasis added). For at least these reasons alone, *Zhang* does not anticipate claim 24. Therefore, the rejection of claim 24 should be withdrawn.

h. Claims 25-32

Because independent claim 24 is allowable over the cited art of record, dependent claims 25-32 (which depend from independent claim 24) are allowable as a matter of law for at least the reason that the dependent claims 25-32 contain all the steps and features of independent claim 24. Additionally and notwithstanding the foregoing reasons for allowability of claims 25-32, these claims recite further features and/or combinations of features (as is apparent by examination of the claim itself) that are patentably distinct from the cited art of record.

4. New Claims 33-36

Claims 33-36 have been newly added to further define and/or clarify the scope of various embodiments. Applicants respectfully assert that new claims 33-26 are allowable over the cited art on the grounds that the cited art does not disclose, teach, or suggest all of the claimed elements and features.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-36 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



Charles W. Griggers, Reg. No. 47,283

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500